

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiffs,	)	4:07CR3130
	)	
V.	)	
	)	
JESUS E. ZAVALA,	)	MEMORANDUM AND ORDER
	)	
Defendant.	)	
	)	

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Upon the defendant's unopposed motion to continue his plea hearing, filing 30:

1. The court finds that defendant's motion should be granted, and the hearing on the defendant's anticipated plea of guilty is continued from January 29, 2008 to February 27, 2008 at 2:00 p.m. before Magistrate Judge Piester in Courtroom No. 2, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska.
2. The court further finds that the ends of justice will be served by granting such a motion, and outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between today's date and the anticipated plea of guilty, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, for the reason that defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 28<sup>th</sup> day of January, 2008.

BY THE COURT:

s/ *David L. Piester*

David L. Piester  
United States Magistrate Judge